

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division

NATIONWIDE MUTUAL)
INSURANCE COMPANY,)
)
Plaintiff,)
)
v.) Civil Action No. 3:09-CV-211-HEH
)
BOYD CORPORATION, et al.)
)
Defendants.)

ORDER

**(Denying Plaintiff's Motion for Summary Judgment and Granting Plaintiff's
Request for Declaratory Judgment)**

This matter is before the Court on Plaintiff's Motion for Summary Judgment and a decision on the merits. The Court heard argument on the motion on January 12, 2010.

For the reasons detailed in the accompanying Memorandum Opinion, Plaintiff's Motion for Summary Judgment is DENIED, and Plaintiff's request for a declaratory judgment is GRANTED. The Court finds that Plaintiff Nationwide has no duty to defend or duty to indemnify Defendant Boyd in the underlying Chesterfield County matter.

The Clerk is directed to send a copy of this Order to all counsel of record.



/s/
Henry E. Hudson
United States District Judge

Date: Jan. 25, 2010
Richmond, VA